

REMARKS

Reconsideration of the above-captioned application in the light of the foregoing amendments and following discussion is respectfully requested.

Following entry of the present amendment, Claims 1, 3-4, 7-9, 11-13, 15-16, and 18 remain in the application. Only Claims 1, 9, and 18 are in independent form.

Claims 2, 5-6, 10, 14, 17, and 19-22 have been cancelled.

The disclosure was objected as Claims 1 and 22 were seen as substantial duplicates. Applicants have cancelled Claim 22 thereby correcting the informality.

Claims 9-17 stand rejected under 35 U.S.C. § 112, first paragraph, as allegedly containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

In order to expedite the prosecution of the present application, Applicants have amended Claim 9 to specifically define a method for treating schizophrenia by administering an effective amount of reboxetine and one or more neuroleptic agents selected from clozapine, olanzapine or risperidone. The amendment to Claim 9 is done, without prejudice, and Applicant reserves the right to file subsequent divisional applications covering the omitted subject matter. Accordingly, Applicants respectfully submit that the rejections of Claim 9-17 under 35 U.S.C. § 112, first paragraph, has been overcome.

Claims 19-21 stand rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Further, Claims 19-21 also stand rejected under 35 U.S.C. § 101 for allegedly claiming the recitation of a use, without setting forth any steps

involved in the process. As set forth above, Claims 19-22 have been cancelled thereby rendering moot any objection thereto.

Claims 1-22 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Koch, et al.*, as it is alleged in the Office Action that *Koch, et al.* "...teaches the administration of the norepinephrine reuptake inhibitor reboxetine with the neuroleptic agent olanzapine in the treatment of the central nervous system disease schizophrenia. The claims differ in that *Koch, et al.* disclose a polypragmatic treatment for schizophrenia wherein multiple drugs, in addition to the norepinephrine reuptake inhibitor and the neuroleptic, are simultaneously administered."

Applicants respectfully traverse this rejection on the following grounds. From the statements in the Office Action, it appears that the Office considers that the *Koch, et al.* abstract discloses a combination of reboxetine and olanzapine for the treatment of schizophrenia. However, several other drugs appear to be required in the treatment set forth which includes reboxetine and olanzapine. Moreover, the combination of reboxetine, olanzapine and other drugs set forth in the abstract, are described for the treatment of psychotic depression rather than for the treatment of schizophrenia. The abstract briefly summarizes a second patient who was treated for paranoid schizophrenia by polypragmatic treatment with combinations haloperidol and clozapine in the absence of a norepinephrine reuptake inhibitor, such as reboxetine.

Accordingly, Applicants respectfully submit that the *Koch, et al.* reference does not render obvious the present claims in reconsideration of the amended claims is respectfully requested.

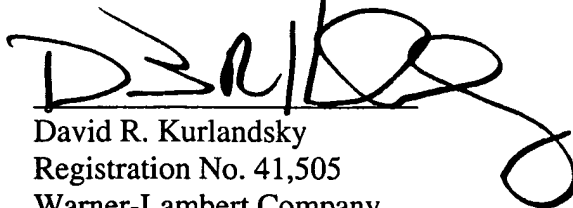
The Applicant submits that an Information Disclosure Statement has been enclosed herewith. As such, the Applicant respectfully requests consideration of the enclosed Information Disclosure Statement.

The application is now in condition for allowance, which allowance is respectfully solicited.

The Commissioner is authorized to charge any fee or credit any overpayment in connection with the communication to our deposit account number 23-0455.

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Respectfully submitted,



David R. Kurlandsky
Registration No. 41,505
Warner-Lambert Company
2800 Plymouth Road
Ann Arbor, MI 48105
Telephone: (734) 622-7304
Facsimile: (734) 622-1553